

MAY 8 1969

JOHN E. DAVIS, CLERK

Supreme Court of the United States

October Term, 1969

No. 42

HOWARD ROSS and BERNARD ROSS, as Trustees for
Lena Rosenbaum,

Petitioners,

—v.—

ROBERT A. BERNHARD, *et al.*,

Respondents.

On writ of certiorari to the United States Court of Appeals
for the Second Circuit

Pétition for certiorari filed January 29, 1969
Certiorari granted March 24, 1969

TABLE OF CONTENTS

	PAGE
Docket Entries (Court of Appeals)	A1
Docket Entries (District Court)	A4
Second Amended Complaint	A19
Notice of Motion on Behalf of Defendants	A28
Affidavit of Cornelius B. Prior, Jr. in Support of Foregoing Motion	A30
Answer of Defendants Howard L. Clark, et al., to Second Amended Complaint	A32
Answer of Defendants Robert A. Bernhard, et al., to Second Amended Complaint	A37
Answer of Defendant The Lehman Corporation to Second Amended Complaint	A42
Memorandum and Order	A46
Notice of Defendants' Motion to Amend and Resettle	A49
Order Dated December 6, 1967	A51
Affidavit of James B. Downing	A53
Order Dated January 11, 1968	A57
Notice of Appeal	A58
Opinion of the Court of Appeals	A60
Judgment of the Court of Appeals	A74

Docket Entries
(Court of Appeals)

UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

APPEAL FROM SOUTHERN DISTRICT

CASE No. 32118

**HOWARD ROSS and BERNARD ROSS, as Trustees for
Lena Rosenbaum,**

Plaintiffs-Appellees,

v.

ROBERT A. BERNHARD, et al.,

Defendants-Appellants.

E. C. McLean

TRANSFERRED FROM MR 1734—CAL. #6

65 Civ. 665

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(Robert A. Bernard, et al.)

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WALSH & FRISCH

(The Lehman Corp.)

250 Park Ave.

New York, N. Y. 10017

Docket Entries

DATE	FILINGS—PROCEEDINGS
12-18-67	Filed motion for leave to appeal under Rule 1292(b)
12-21-67	Filed order adjourning motion for leave to appeal to 1-3-68; respondents to answer said petition by 1-3-68
1-3-68	Filed memorandum in opposition to motion for leave to appeal
1-11-68	Filed order granting motion for leave to appeal (Lehman Corp., et al.)
2-23-68	Filed record (original papers of District Court)
3-25-68	Filed order extending time to file appellants brief & appendix to 4-16-68
4-16-68	Filed brief & appendix, appellants
5-6-68	Filed brief, appellees
5-21-68	Filed reply brief, appellants
9-5-68	Argument heard (by: Lumbard, Chj., Smith & Anderson, CJJ).
11-1-68	Judgment Reversed and Action Remanded, Lumbard, Ch J (mailed notices) (4)
11-1-68	Dissenting in separate opinion, Smith, CJ

Docket Entries

DATE	FILINGS—PROCEEDINGS
11-1-68	Filed judgment
11-22-68	Filed itemized and verified bill of costs with proof of service
11-26-68	Filed statement of costs
11-26-68	Issued Mandate (opinion, judgment & statement of costs)
1-24-69	Certified proceedings and original record for Rosenthal & Gurkin
1-28-69	Filed receipt by Supreme Court of certified record
2-4-69	Filed notice of filing of petition for writ of certiorari
3-28-69	Filed certified copy of order of Supreme Court granting petition for writ of certiorari